

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DONALD HERNANDEZ MARTINEZ,	:	Civil No. 3:23-CV-1788
	:	
Plaintiff	:	(Magistrate Judge Carlson)
	:	
v.	:	
	:	
LELAND DUDEK,	:	
Acting Commissioner of Social Security,¹	:	
	:	
Defendant.	:	

ORDER

For the reasons set forth in the accompanying Memorandum Opinion, IT IS ORDERED that the plaintiff's request for a new administrative hearing is GRANTED, the final decision of the Commissioner denying this claim is VACATED, and this case is REMANDED to the Commissioner to conduct a new administrative hearing pursuant to 42 U.S.C. § 405(g). IT IS FURTHER ORDERED that final judgment should be entered in favor of the plaintiff and against the Commissioner of Social Security and this case be CLOSED.

¹ Leland Dudek became the Acting Commissioner of Social Security on February 16, 2025. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Leland Dudek should be substituted for the previously named defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

So ordered this 27th day of February 2025.

S/Martin C. Carlson

Martin C. Carlson

United States Magistrate Judge